

Mr. Les Whitten
1401 16 St., NW
Washington, D.C. 20036

10/30/77

Dear Les,

From the first calendar call in my FOIA suit for the King assassination records vs DJ (it is not only FBI) to now I can't recall having given anything to any reporter for use until the end of the litigation. Prior to the first calendar call, when the FBI falsely claimed full compliance, I did hold a press conference at which I made copies of everything that had been provided available to all.

I'll return to that press conference and what relates to it.

For special reasons I make an exception of the enclosed record I received only yesterday. I have not discussed making it available with Jim so I'd ask, not as a pre-condition, that if you want to use it you speak to him to be sure he does not regard it as any interference with the case in court.

One of these special reasons is that I believe some of the major media are not going to be oh so holy about the CIA and themselves and will be looking for goats. I know of one well-known reporter for a major paper who is working on the CIA and the press. I have heard from him. In this connection a case can be made out against Jack over the use of the leak in the Glomar, Project Jennifer case. From the first I was certain that this was one of the more ~~exp~~ sophisticated leaks, arranged to appear as a non-leak and over strenuous efforts to prevent use. The CIA then was desperate for sensational, flattering press. So I don't want to put you in any such position vis-a-vis the FBI. And no, I don't think that Jack consciously did the CIA a favor. I thought and think he was had and probably still believes he had no more than a real scoop, which it surely was.

I'll be in town Wednesday for a calendar call on this case, before Judge Green, and won't be leaving to return until about 2 p.m. if you want to talk to me. Best way to let me know is through Jim.

Other records indicate that the FBI did not get permission for this bugging. I'm not by any means sure they didn't do it anyway. Nor am I sure that the hand lettering at the top is JUNE. On the other hand I can't think of what JUNE could be. JUNE was, as I think Jack will remember, the code name of the job against King.

You can draw your own conclusions about a law enforcement agency that says this is illegal, unconstitutional, at the least is damaging to the victims, who can collect, and they has an "OK" added by "H," who appears always to have acted this way. I've several inches of records of this nature with his OK.

Another of my concerns is what may be another major Lane ripoff and disinformation operation. He has ambulance-chased himself into representation of Jimmy Ray and all the other Rays. Now he is making capital of it. He has a movie deal in the works, got a six-figure advance on what has only the stolen or the false about the assassination and has announced a coming "blockbuster." Jim and I can't think of anything legitimate except a theft. Perhaps in collaboration with the House assassins committee.

Knowing nothing except his description, "blockbuster," I'm left to guess, as is Jim. We are both inclined to believe that this is some of my work having to do with the ballistics. I did a lot of work on the ballistics for Frame-Up. I carried it forward during the preparations for the Ray evidentiary hearing of 10/74, federal court, Memphis, where Bud questioned the witness I lined up, with Jim's okay, to testify about the meaning of the evidence. Bud was abroad when I did it. Earlier I obtained by FOIA and published in facsimile in Frame-Up the FBI's admission that it could not connect the so-called death rifle with the actual death

slug removed from the body. I added the interpretation this meant they knew it had not been. I then had other, non-ballistics and absolutely solid proofs of this. All of it has been used publicly. All of it has been subjected to the testing of cross-examination and all of it has survived, absolutely intact. These are the kinds of realities that the best of reporters really have little or no way of knowing. But I have the transcripts and without your reading them Jim and Bud will both confirm this to you.

When I received confirmation from the FBI in this C. 75-1996 I held this press conference. I know CBS filmed all of it. They dubbed one of our pictures in with ~~their~~ their film, not using the FBI's fake pictures, which I had broken loose in this suit. Again Jim is among those who can confirm it. John Conyers, who arranged the press conference, may also.

I gave the transcripts to the House assassins committee. I do not use this as shorthand. I do not find that it is right and proper for them to do what I criticize the Warren Commission and the Federal spokesmen for doing. Those still on the staff who can confirm this include Donovan Day. I laid it all out beginning with Dick Sprague over the course of a day just after the middle of November last year, in terms of the corpus delicti approach. I told Sprague that if he took this approach I'd do all the work for him because I had done it already and he could have it free. Bud several times tried to press this responsible approach on them, especially when they were in distress. He even had a general agreement from Downing. It is in the position papers for which I was asked, too. But Sprague and the black members were in Lane's pocket and Sprague was not responsible. I spent the afternoon with staffers, not Sprague. One, Jeremy Akers, came up for a day for help on what they should subpoena in Memphis. I told him even where records were hidden. I gave him these transcripts. I have this in writing from him and from Ken Brosten, who was embarrassed because they "lost" one when the deal was they let nobody off the staff see them. Meaning, of course, the lanes of the hyana ~~pack~~ pack. And, of course, what I'm talking about is in these transcripts. It amounts to sworn testimony that the fatal shot did not come from that rifle. I did not have the money, as Jim did not, to go for a test-firing to enable expert-witness comparison. So what the expert testimony is is that the death slug is a good, clear specimen and that with it and with the rifle to test fire a definite conclusion is possible, positive or negative - did or did not come from that rifle.

There was no cross-examination on this. No rebuttal witness. No FBI agent to defend his professional integrity. You know very well that it means the FBI knew all along the shot did not come from that rifle. I'm telling you they did not even swab it to see if it had been fired recently. I have that proof, in handwritten form by the testing agent. Meanwhile, when that Court ignored the totally exculpatory, as soon as it was possible for Jim, who was handling the time-consuming Ray appeals, we filed under FOIA for me to get all the FBI's records.

So, if this is their game, they have test-fired the rifle, even the idea for them and the proof and the location of the rifle coming from me, and if they and Lane now exploit it as their work, this will be pretty indecent. The only reason I do not have a book on this done is the tremendous amount of work this litigation has required. I've obtained and read, for example, more than 30,000 pages of once-secret records - all of which I'm giving away to the country. (Of course I'm slowed down a bit, too.)

At the time of the evidentiary hearing I sought help where I could, without getting any. This includes King's people and Lane's bedmate Dick Gregory. The wealthy Lane, of course, did not provide the means for test-firing cost payment. And when Lane was out to skin Bud and Jim saw it and Bud didn't, Jim extracted an unkept promise of help from Lane, who has hated Jim for it and since has been viciously defamatory, to the worst of legal and lawyer lying. You should also know that all Jim says about Ray never having a chance to tell his story would demean bullshit so to describe it. Jim and I spent part of each and every day for two weeks seeking to prepare him for two days of public testimony in 10/74. I was with

Ray early every morning during that long period until Jim could get there, and was with him some lunch time and about every evening until he was moved to the county jail. Jim prepared his testimony while handling most of the rest of the case. Ray testified in full and before all the press. Paul Valentine was there. So was Pat Welch, among those in D.C. Ed Waldron for the Times. Ed Rabel for CBS. Etc.

This goes for Lane's lies about us keeping him from media attention. I am the one who fought Ray on this and succeeded. Jim will tell you that he once was so disgusted with Ray he was ready to quit. I turned him around. I assure you Ray was on all three nets, in papers like the Post with interviews and on the Tom Snyder show, all of which Ray originally rejected.

Aside from building himself up out of nothing what Lane is really up to is vicious and hurtful to Bud and Jim. He has laid malpractice to them, falsely, and whether or not it comes to pass, is laying it out to Ray so the crazy Ray will be tempted on his own if not through lawyers.

Meanwhile there is Lane and his movie ambitions, current and with Donald Sutherland.

There is more but I wanted you to know this in the event such a stunt is now pulled.

I guarantee you solid proof on every detail. On the expert witness I got his permission to tape our conversation because I wanted Jim, as the lawyer, to be aware of all of it. I don't have the tape. I gave it to Jim. I pick this of the countless examples because, as Jim will recall, when I eyeballed that death slug I knew it was a clear specimen and so said, to lean on the State AG who was with us on discovery. I knew to go for this from much prior work. The expert confirmed me and my work and opinion, which is not an expert opinion but was entirely accurate.

This is pretty dirty stuff for anyone to be pulling on people like Jim and me, who did an enormous amount of work without pay and often at our own expense when we had no regular income. It is very dirty on Bud, who paid most of our expenses and all of his own when he neither got nor could get a fee.

long but in haste,